

JURY QUESTIONS

QUESTION NO. 1:

Has CommScope proven by a preponderance of the evidence that Dali's t-Series and Matrix products infringe any of the following asserted claims?

1a. Answer "yes" or "no" as to claim 1 of the '982 patent: yes

1b. Answer "yes" or "no" as to claim 1 of the '218 patent: yes

1c. Answer "yes" or "no" as to claim 12 of the '218 patent: yes

1d. Answer "yes" or "no" as to claim 23 of the '286 patent: yes

1e. If you answered "yes" as to claim 23 of the '286 patent, answer

"yes" or "no" as to dependent claim 27 of the '286 patent: yes

1f. Answer "yes" or "no" as to claim 1 of the '402 patent: yes

1g. If you answered "yes" as to claim 1 of the '402 patent, answer

"yes" or "no" as to dependent claim 14 of the '402 patent: yes

If you answered "yes" to any subpart of Question No. 1, please proceed to Question No. 2. If not, please proceed to Question No. 7.

QUESTION NO. 2:

What royalty has CommScope proven by a preponderance of the evidence would have been agreed to at a hypothetical negotiation taking place in December 2012 to compensate CommScope for Dali's use of the asserted claims of the '982, '218, '286, and '402 patents?

Answer in dollars and cents: \$1,574,342.07

Please proceed to Question No. 3.

QUESTION NO. 3:

Was infringement of the '982, '218, '286, and '402 patents by Dali willful?

3a. Answer "yes" or "no" as to claim 1 of the '982 patent: yes

3b. Answer "yes" or "no" as to claim 1 of the '218 patent: yes

3c. Answer "yes" or "no" as to claim 12 of the '218 patent: yes

3d. Answer "yes" or "no" as to claim 23 of the '286 patent: yes

3e. If you answered "yes" as to claim ²³ of the '286 patent, answer

"yes" or "no" as to claim 27 of the '286 patent: yes

3f. Answer "yes" or "no" as to claim 1 of the '402 patent: yes

3g. If you answered "yes" as to claim 1 of the '402 patent, answer

"yes" or "no" as to claim 14 of the '402 patent: yes

Please proceed to Question No. 4.

QUESTION NO. 4:

Has Dali proven by clear and convincing evidence that any asserted claim of the '982, '218, '286, and '402 patents is invalid because it is obvious in light of prior art?

Question No.	Asserted Patent Claim	"yes" or "no"	If "yes," which combination of prior art references renders the claim obvious?
4a.	claim 1 of the '982 patent	<i>No</i>	
4b.	claim 1 of the '218 patent	<i>No</i>	
4c.	claim 12 of the '218 patent	<i>No</i>	
4d.	claim 23 of the '286 patent	<i>No</i>	
4e.	dependent claim 27 of the '286 patent	<i>No</i>	
4f.	claim 1 of the '402 patent	<i>No</i>	
4g.	dependent claim 14 of the '402 patent	<i>No</i>	

See Pages 35–36 of the Jury Instructions for the relevant prior art references for the '982, '218, '286, and '402 patents.

Please proceed to Question No. 5.

QUESTION NO. 5:

Has Dali proven by clear and convincing evidence that any asserted claim of the '982, '218, '286, and '402 patents is invalid because the patent does not enable that claim?

5a. Answer "yes" or "no" as to claim 1 of the '982 patent: No

5b. Answer "yes" or "no" as to claim 1 of the '218 patent: No

5c. Answer "yes" or "no" as to claim 12 of the '218 patent: No

5d. Answer "yes" or "no" as to claim 23 of the '286 patent: No

5e. If you answered "no" as to claim 23 of the '286 patent, answer

"yes" or "no" as to dependent claim 27 of the '286 patent: No

5f. Answer "yes" or "no" as to claim 1 of the '402 patent: No

5g. If you answered "no" as to claim 1 of the '402 patent, answer

"yes" or "no" as to dependent claim 14 of the '402 patent: No

Please proceed to Question No. 6.

QUESTION NO. 6:

Has Dali proven by clear and convincing evidence that any asserted claim of the '982, '218, '286, and '402 patents is invalid because the patent does not provide a written description of that claim?

6a. Answer "yes" or "no" as to claim 1 of the '982 patent: No

6b. Answer "yes" or "no" as to claim 1 of the '218 patent: No

6c. Answer "yes" or "no" as to claim 12 of the '218 patent: No

6d. Answer "yes" or "no" as to claim ^{mff}23 of the '286 patent: No

6e. If you answered "no" as to claim ^{mff}23 of the '286 patent, answer

"yes" or "no" as to dependent claim 27 of the '286 patent: No

6f. Answer "yes" or "no" as to claim 1 of the '402 patent: No

6g. If you answered "no" as to claim 1 of the '402 patent, answer

"yes" or "no" as to dependent claim 14 of the '402 patent: No

Please proceed to Question No. 7.

QUESTION NO. 7:

What royalty has CommScope proven by a preponderance of the evidence would have been agreed to at a hypothetical negotiation taking place in December 2012 to compensate CommScope for Dali's use of the asserted claims of the '747 patent?

Answer in dollars and cents: \$402,470.37

Please proceed to Question No. 8.

QUESTION NO. 8:

Was Dali's infringement of the '747 patent willful?

8a. Answer "yes" or "no" as to claim 7 of the '747 patent: yes

8b. If you answered "yes" as to claim 7 of the '747 patent, answer

"yes" or "no" as to claim 8 of the '747 patent: yes

8c. If you answered "yes" as to claim 7 of the '747 patent, answer

"yes" or "no" as to claim 10 of the '747 patent: yes

Please proceed to Question No. 9.

QUESTION NO. 9:

Has Dali proven by clear and convincing evidence that any asserted claim of the '747 patent is invalid because it is obvious in light of prior art?

Question No.	Asserted Patent Claim	"yes" or "no"	If "yes," which combination of prior art references render the claim obvious?
9a.	claim 7 of the '747 patent	No	
9b.	dependent claim 8 of the '747 patent	No	
9c.	dependent claim 10 of the '747 patent	No	

See Page 35 of the Jury Instructions for the relevant prior art references for the '747 patent.

Please proceed to Question No. 10.

QUESTION NO. 10:

Has Dali proven by a preponderance of the evidence that CommScope's FlexWave Prism product infringes claim 1 of the '521 patent?

Answer "yes" or "no": yes

**If you answered "yes" to Question No. 10, please proceed to Question No. 11.
If not, please proceed to Question No. 13.**

QUESTION NO. 11:

What royalty has Dali proven by a preponderance of the evidence would have been agreed to at a hypothetical negotiation on the day CommScope's use of the patent began, or the day the '521 patent issued, whichever was later, to compensate Dali for CommScope's use of the '521 patent?

Date of the commencement of damages: May 12, 2015

Answer in dollars and cents: \$6,612,321.50

Please proceed to Question No. 12.

QUESTION NO. 12:

Has CommScope proven by clear and convincing evidence that claim 1 of the '521 patent is invalid because it is anticipated by prior art?

12a. Answer "yes" or "no": No

12b. If yes, state the prior art reference(s) that anticipate claim 1 of the '521 patent: _____

See Pages 34–35 of the Jury Instructions for the relevant prior art references for the '521 patent.

Please proceed to Question No. 13.

QUESTION NO. 13:

Has Dali proven by a preponderance of the evidence that CommScope's ION-E product infringes any asserted claim of the '473 patent?

13a. Answer "yes" or "no" as to claim 6 of the '473 patent: yes

13b. If you answered "yes" as to claim 6 of the '473 patent, answer

"yes" or "no" as to claim 9 of the '473 patent: yes

13c. Answer "yes" or "no" as to claim 11 of the '473 patent: yes

13d. If you answered "yes" as to claim 11 of the '473 patent, answer

"yes" or "no" as to claim 14 of the '473 patent: yes

13e. If you answered "yes" as to claims 11 and 14 of the '473 patent,

answer "yes" or "no" as to claim 15 of the '473 patent: yes

13f. If you answered "yes" as to claim 11 of the '473 patent, answer

"yes" or "no" as to claim 21 of the '473 patent: yes

If you answered "yes" to any subpart of Question No. 13, please proceed to Question No. 14. If not, please ensure you have answered all of the relevant questions completely and correctly, then the foreperson should sign and date the Verdict of the Jury.

QUESTION NO. 14:

What royalty has Dali proven by a preponderance of the evidence would have been agreed to at a hypothetical negotiation taking place on December 27, 2016 to compensate Dali for CommScope's use ^{of the} the asserted claims of the '473 patent?


Answer in dollars and cents: \$2,388,002.77

Please proceed to Question No. 15.

QUESTION NO. 15:

Has CommScope proven by clear and convincing evidence that any asserted claim of Dali's '473 patent is invalid because it is anticipated by prior art?

Question No.	Asserted Patent Claim	"yes" or "no"	If "yes," which prior art reference(s) anticipate the claim?
15a.	claim 6 of the '473 patent	No	
15b.	dependent claim 9 of the '473 patent	No	
15c.	claim 11 of the '473 patent	No	
15d.	dependent claim 14 of the '473 patent	No	

See Page 34 of the Jury Instructions for the relevant prior art references ~~for the relevant prior art references~~ for the '473 patent. 

Please proceed to Question No. 16.

QUESTION NO. 16:

Has CommScope proven by clear and convincing evidence that any asserted claim of Dali's '473 patent is invalid because it is obvious in light of prior art?

Question No.	Asserted Patent Claim	"yes" or "no"	If "yes," which combination of prior art references render the claim obvious?
16a <i>mpl</i>	dependent claim 15 of the '473 patent	<i>No</i>	
16f. <i>mpl</i>	dependent claim 21 of the '473 patent	<i>No</i>	

See Page 34 of the Jury Instructions for the relevant prior art references for the '473 patent.

Please proceed to Question No. 17.

QUESTION NO. 17:

Has CommScope proven by clear and convincing evidence that any asserted claim of Dali's '473 patent is invalid because the patent does not enable that claim?

17a. Answer "yes" or "no" as to claim 6 of the '473 patent: No

17b. If you answered "no" as to claim 6 of the '473 patent, answer "yes" or "no" as to claim 9 of the '473 patent: No

17c. Answer "yes" or "no" as to claim 11 of the '473 patent: No

17d. If you answered "no" as to claim 11 of the '473 patent, answer "yes" or "no" as to claim 14 of the '473 patent: No

17e. If you answered "no" as to claims 11 and 14 of the '473 patent, answer "yes" or "no" as to claim 15 of the '473 patent: No

17f. If you answered "no" as to claim 11 of the '473 patent, answer "yes" or "no" as to claim 21 of the '473 patent: No

Please proceed to Question No. 18.

QUESTION NO. 18:

Has CommScope proven by clear and convincing evidence that any asserted claim of Dali's '473 patent is invalid because the patent does not provide a written description of that claim?

18a. Answer "yes" or "no" as to claim 6 of the '473 patent: No

18b. If you answered "no" as to claim 6 of the '473 patent, answer

"yes" or "no" as to claim 9 of the '473 patent: No

18c. Answer "yes" or "no" as to claim 11 of the '473 patent: No

18d. If you answered "no" as to claim 11 of the '473 patent, answer

"yes" or "no" as to claim 14 of the '473 patent: No

18e. If you answered "no" as to claims 11 and 14 of the '473 patent,

answer "yes" or "no" as to claim 15 of the '473 patent: No

18f. If you answered "no" as to claim 11 of the '473 patent, answer

"yes" or "no" as to claim 21 of the '473 patent: No

Please ensure you have answered all of the relevant questions completely and correctly, then the foreperson should sign and date the Verdict of the Jury.

VERDICT OF THE JURY

We, the jury, have answered the above and foregoing questions as indicated, and herewith return the same into Court as our verdict.

Dated: June 19, 2019

Butterin Fille 06/19/19
FOREPERSON